

In 2003, Professor Arlene Kanter and I had the honor of serving as consultants to NCD as authors of a report, *Foreign Policy and Disability: Legislative Strategies and Civil Rights Protection to Ensure Inclusion of People with Disabilities*. In this report, released at a U.S. Senate briefing on September 9th, 2003, NCD cites numerous reports over the last 10 years identifying the failure of U.S. foreign assistance programs to respond to the needs of people with disabilities. Not only have construction projects been inaccessible to people with disabilities but many programs have not been accessible to people with physical or mental disabilities. More broadly, there has not been a concerted effort to document, challenge, or overcome the vast problem of human rights abuses to which people with disabilities are subject worldwide.

NCD has called for the reform of U.S. foreign policy and foreign assistance to ensure the inclusion of people with disabilities in U.S. foreign policy, foreign assistance, and all U.S. government and its activities abroad.

If we stand for the human rights of people with disabilities, we must stand for it in our own actions as the U.S. government. We must ensure that U.S. funded assistance programs don't discriminate. Indeed, we must ensure that foreign assistance programs respond to needs and are fully inclusive of people with disabilities.

We have recently made tremendous progress in Congress. I would particularly like to acknowledge the work of Senator Tom Harkin who championed historic new legislation in the last session of Congress. The new legislation requires any construction funded by USAID around the world to be accessible to people with disabilities. It requires all U.S. programs in Afghanistan and Iraq to be accessible to people with disabilities, in conformity with USAID's Policy Paper on Disability. The most innovative new provision of legislation makes enforcement of disability rights a precondition for countries to receive funding under the new Millennium Challenge Account. By creating financial incentives for governments to take action on disability rights, this law establishes a specialized tool of foreign policy that will help bring attention and pressure on governments to take action. In the spirit of the NCD report, it is my hope that MCA views this as more than a tool to use against governments. It should be viewed as a mandate to help governments, and non-governmental disability organizations around the world, to meet these human rights and disability rights goals. The NCD report calls on Congress to create a "Fund for Inclusion," setting aside funds to support for the development of non-governmental disability rights organizations.

Turning now to the question: why a convention? In ten years, MDRI has documented human rights abuses against people with mental disabilities in 21 countries on three continents. I have seen untold human suffering in every country I have visited. I've seen people locked away for their whole lives in psychiatric hospitals, as well as institutions for people with developmental or other disabilities. I have seen children and I've seen grown men and women left naked, covered in their own feces. MDRI recently documented a situation in Paraguay where two boys were placed in an institution by family members unable to care for them at home without any form of governmental support. When the boys were placed in the institution they probably had some form of intellectual disability, but they wore clothing, they talked, they interacted with people around them. For at least four years, these boys were held naked in isolation with no clothes,

no toilet, no place to sleep other than a mat the floor of a barren cell. They ate their food off the floor. According to doctors at the facility, they became psychotic as a result of the years of isolation and abuse. When we visited them, they could no longer speak. All they did was scream, howl, and grunt.

Their lives had been thrown away. The lives of 400 men and women in that same psychiatric facility have been thrown away. They live in isolation with little hope of returning to society. Many are denied basic medical care, much less the dignity of some privacy or their own clothing. In wealthier countries, people may be detained in clean institutions with new clothing. But their isolation from society and their pain at being denied human contact may be much the same. Does the international community speak out about these abuses? No. In almost every country of the world, you can find people relegated to the bleak, back wards of institutions—or abandoned on the streets. That same experience has been going on in many societies throughout the world. And the world has failed to speak out time and time again.

The U.S. administration has said that the proper way to deal with this is through domestic legislation, rather than international human rights legislation. I beg to differ on this point. As a matter of international law, there is a very important difference between matters of purely domestic concern and issues of international human rights. The international legal framework is built upon the notion of state sovereignty. Matters of social policy and of educational policy, are protected by state sovereignty. And a government may do what it will in that area. But the international community has come to realize there are certain principles of government practice that are not just matters of state sovereignty. When governments deny their citizens basic human dignity and autonomy, when they subject them to extremes of suffering, when they segregate them from society—we call these violations of fundamental human rights. And when a country sinks so low as to deny the fundamental rights of its citizen, the world will speak out. We will hold governments accountable for the most extreme abuses. That is why we need a convention. It's not enough to offer technical assistance on how to improve the law, we must hold governments accountable for their violations.

Based on my observations as a human rights investigator over the last ten years—and based on the near void of activity by established human rights oversight bodies—I believe that the abuses experienced by people with disabilities around the world are the greatest international human rights problem that goes unacknowledged in the world today.

There are at least 600 million people with disabilities in the world. How many thousands of people are segregated from society in closed psychiatric facilities? By the thousands, children and young adults with disabilities are placed in orphanages and other institutions. I have met families in Armenia, Turkey, Russia, and Mexico who were heartbroken about placing their child in an institution—or who were afraid that they might have to do so one day if they could no longer provide care. I have met adults with mental disabilities living a life of terror that they may be one day forced into an institution if they cannot keep it together to fend for themselves. I have met fathers, mothers, brothers, husbands, wives who wanted to keep a relative at home with them, but their governments do not provide services that will allow families to stay together in the community. Heart breaking as it is, parents are often forced to put their children in or-

phanages. These are not orphans. These are children orphaned by social and medical policy that say they're different and shouldn't have a chance to live as a part of society at large. Social policies that needlessly segregate people from society are a form of discrimination. Legal systems that do not protect against arbitrary detention permit ongoing violations of human rights.

These are just a few of the abuses that can be addressed by a disability rights convention. This is why we must commit ourselves to speaking out. We must make it a priority of our human rights agenda to end such intolerable abuses against people with disabilities everywhere.

This Congress has adopted legislation establishing that human rights will be the core of our foreign policy. We must ensure that this promise extends to people with disabilities. When governments strip whole groups of citizens of their rights because of a disability, when governments put people away, or when they allow them to die on the streets with no dignified form of assistance, those are human rights abuses. Challenging such abuses should become the core of our foreign policy.

In its last session, this Congress made invaluable steps in the right direction by revising our foreign assistance laws. Now let us explicitly recognize the concerns of people with disabilities as part of the pantheon of international human rights issues. I strongly encourage and appreciate the work of those members of Congress who have supported resolution 169. I call on all members to do the same.

I would like to leave you with one last thought. Over the years, I have personally encountered hundreds of children and adults, old men and old women who have spent most of their life behind bars. It is amazingly easy to write these people off as subhuman. As if they are already the walking dead. Yet I have also seen a glimpse of hope in their eyes. With the smallest amount of respect for their dignity, people come to life. The tiniest hint of a possibility that a man or woman might one day leave the institution can give that person a reason to go on living. What does it matter that people far across the waters care about them and their rights? It is a reason to go on living. Members of Congress, you have a chance to contribute to their reason for living. You have an ability to contribute to give them hope. In your careers, this may be one of the least costly and greatest opportunities to challenge abuses of hundreds of millions of people. Please take that action. Please support Resolution 169. And please support the U.N. Disability Rights Convention.

PAYING TRIBUTE TO JAMES C.
MOORE

HON. SCOTT MCINNIS
OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 2, 2004

Mr. MCINNIS. Mr. Speaker, I rise today with a heavy heart after learning that Colorado has lost one of its truly great citizens. James Moore of Pueblo, Colorado recently passed away at age eighty-six. He spent his life serving those he loved, and James loved about everybody. As his community and family mourn his passing, I believe it appropriate to recognize the life of this exceptional man before this body of Congress and this nation.

James showed up everyday at his job as an insurance agent for Equitable Life Assurance

Agency with an infectious smile and a humble heart. It was no surprise when Equitable's agency managers' recognized James as their "National Honor Agent" for exemplifying excellence in professional achievement and community service from among the company's 7,500 member agency.

James' work throughout his life went far beyond the insurance industry. He answered his nation's call to duty, serving as a meteorologist in the U.S. Army Air Corps during World War II. His extensive involvement in the community included serving on the Parkview Episcopal Hospital's executive committee and as finance chairman of the campaign for the Fryingpan-Arkansas Project. He also served as financial planner for the Pueblo Regional Library, worked as an officer at the local YMCA, and served on University United Presbyterian Church's board of elders and building committee. He mentored those who would listen, gave money to those who asked, and loved those who needed a kind word.

Mr. Speaker, James Moore will be sorely missed, and although we grieve over the loss of this incredible individual, we take comfort in the lives he touched and the legacy he leaves behind. I say to his wife Mary, his son Jim, and daughter DeAnn, that I am truly honored to pay tribute to his life and memory today. He was a great person and a great American, he will be sorely missed.

FALLEN HEROES

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 2004

Ms. McCOLLUM. Mr. Speaker, it is with great reflection that I rise to recognize the hundreds of thousands of soldiers serving in our armed services today around the world, and to remember those who have made the ultimate sacrifice in the protection of our great country.

This has been a difficult year for many families in Minnesota, particularly those who have loved ones serving overseas in the armed forces. The wars in Iraq and Afghanistan and the global campaign against terrorism have required much of the American people and the sacrifices are significant. War has separated thousands of Americans from their loved ones. Many families have not seen their fathers and mothers, brothers and sisters, or friends and relatives for many months.

Today, the House rises in a moment of silence to recognize our fallen heroes. I would like to specifically mention the eight Minnesotans whose selfless acts of heroism in Iraq over the past year cost them their lives: Jim Herrgott, 20, of Shakopee; Brian Hellermann, 35, of Freeport; Dale Panchot, 26, of Northhome; Patrick Dorff, 32, of Buffalo; Matthew Milczark, 18, of Kettle River; Levi Angell, 20, of Cloquet; Moises Langhorst, 19, of Moose Lake; and Tyler Fey, 22, of Eden Prairie. Their service and their spirit live on in the memory of all Minnesotans.

This Memorial Day, I urge all Minnesotans to pause and remember those who have served our nation and those that continue to serve today. The debt of gratitude we owe these brave men and a woman is great and

we must never forget their sacrifices for our freedom.

CAROL AND JERRY BERMAN'S 60TH ANNIVERSARY

HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 2, 2004

Mrs. MCCARTHY of New York. Mr. Speaker, I rise to congratulate my friends Carol and Jerry Berman as they celebrate their sixtieth wedding anniversary. Carol Berman met Jerry Berman at the University of Michigan, in 1941. Their surname was the same. In 1943 they became engaged. Jerry enlisted in the Air Force, and Carol graduated from college. They were married in 1944 and after a brief honeymoon, Carol traveled with Jerry to thirteen different Air Force installations where he was an airman, and she worked on various newspapers and magazines.

After the war they returned to Ann Arbor where Jerry received his degree in mechanical engineering, thanks to the GI Bill, and Carol worked as an Editor. After a while they moved back to New York and set up housekeeping in Lynbrook, Long Island. Jerry worked as an engineer, and Carol worked for a public relations firm. Their daughter Elizabeth was born followed by their son, Charles. They then moved to their present home in Lawrence, Long Island.

Carol devoted much of her time to the school, serving as President of two PTA's and then elected to the Lawrence-Cedarhurst Board of Education. While Carol was busy with this, Jerry, who now was in the family's insurance business, served in many capacities at his beloved Beth Shalom Synagogue, serving as Chairman of the Board for two terms.

Carol and Jerry also became politically active in the Democratic Party. Carol ran campaigns for many candidates and then the local offices for Assemblyman Eli Wager and Congressman Herbert Tenzer. She became a Vice Chair of the Nassau County Democratic Party. Carol was elected to the State Senate in 1978, serving for three terms, and is still the only Democrat elected to that body from a district solely in Nassau County. Her public service continued when she was appointed by Governor Cuomo to the State Division of Housing, to the Lobby Commission, and to the State Board of Elections, where she is still Commissioner.

Because of her political expertise, the community drafted her to head their fight against the SST Concorde landing at Kennedy Airport. That fight made history and just recently ended with the complete demise of the Concorde.

Terry was Democratic Leader of Lawrence-Cedarhurst, and President of the Five Towns Democratic Club, and was a close political associate of both Congressman Herbert Tenzer and Jim Scheuer. During the Vietnam War, he was appointed to the Draft Board, where he served for fifteen years. In that capacity, he accompanied Rabbi Edward Sandrow on a visit to General William Hershey, which resulted in a history making decision that enabled servicemen of other than the Quaker faith to claim Conscientious Objector status.

In addition, Jerry and Carol have donated much time to civic endeavors: among them

the building of St. John's Hospital. They have been honored by the Hospital, UJA-Federation, Israel Bonds, Congregation Beth Shalom, the Five Towns Democratic Club, Cancer Care, Nassau County Democratic Party, the Village of Lawrence and Carol by NOW and The Nassau Coalition Against Domestic Violence, as well as many other civic associations.

The greatest joy and love in their lives are their children: Elizabeth married to David; and Charles, married to Lisa; and their beloved grandchildren, Sarah, Jeremy, Rebecca and Ben.

Jerry and Carol emulate the ideals of citizenship in our country, through their concern for others, their service to the community and active participation in our government. I wish to congratulate and thank my good friends, Carol and Jerry, for all that they have done for my district, their community, the State, our Country, and me.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 2, 2004

Mr. BECERRA. Mr. Speaker, on Tuesday, June 1, 2004, I was unable to cast my floor vote on rollcall Nos. 210, 211, and 212. The votes I missed include rollcall vote 210 on the Motion to Suspend the Rules and Agree to H. Con. Res. 295, Congratulating and saluting Focus: HOPE on its 35th anniversary; rollcall vote 211 on the Motion to Suspend the Rules and Agree, as Amended to H. Res. 612, Recognizing the firefighters, police, public servants, civilians, and private businesses who responded to the fire in Richmond, Virginia, on March 26, 2004; and rollcall vote 212 on the Motion to Suspend the Rules and Agree to H. Con. Res. 417, Honoring the Tuskegee Airmen.

Had I been present for the votes, I would have voted "aye" on rollcall votes 210, 211, and 212.

FALLEN HEROES

SPEECH OF

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 2004

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to honor Staff Sergeant Joseph Fales, a World War II veteran who gave his life fighting against tyranny so that we might live free.

In honor of Memorial Day, I had the pleasure of recognizing Staff Sergeant Fales for his heroism and bravery as a U.S. Soldier who fought in the Second World War until his death in October 1943.

Staff Sergeant Fales served in the Army Air Force and heroically performed the perilous job of a waist gunner aboard a B-17 bomber. His plane was shot down over the Adriatic Sea, and an American Hero was lost. Sergeant Fales was only 20 years old.

I had the honor of presenting his family with medals Joseph Fales earned during his service to our nation. They included the World War